IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
PATENT EXAMINING OPERATION

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| **Applicant(s):** | Subawalla et al. | | |
| **Serial No.:** | 10/737,203 | **Group Art Unit:** | 1751 |
| **Filed:** | 16 December 2003 | **Examiner:** | G. Webb |
| **Atty. Docket No.:** | 06413P USA | **Confirmation No.:** | 7086 |
| **For:** | PROCESSING OF SUBSTRATES WITH DENSE FLUIDS COMPRISING ACETYLENIC DIOLS AND/OR ALCOHOLS | | |

**DECLARATION UNDER 37 C.F.R. § 1.132**

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

I, Gene E. Parris, Ph.D., a citizen of St. Kitts & Nevis in the West Indies hereby declare and state:

1. I have a Bachelor's of Science and a Ph.D. in Chemistry from Lehigh University.

2. I am currently employed by Air Products and Chemicals, Inc. (APCI), the assignee of the present application. I have been employed by APCI for approximately twenty-five (25) years. My current position is Lead Research Chemist, a position that I have held for approximately seven (7) years.

3. I am a co-inventor on the present application, U.S. patent application Serial No. 10/737,203 ("the 203 application").

4. I have reviewed the 203 application, which I understand to have been filed in the United States Patent & Trademark Office on December 16, 2003, as well as copies of the Final Office Action dated April 7, 2006. I have also reviewed the Office Action dated September 27, 2005.

5. I have also reviewed U.S. patent application Publication No. 2004/0144399 to McDermott ("the McDermott publication"), the reference relied upon by the Examiner to reject the claims in the Final Action. The McDermott publication is attached hereto as Exhibit A.

6. I have personal knowledge with respect to the chemical structure of the ethoxylated and/or propoxylated acetylenic alcohols and diols that are included in Surfynol™ and Dynol™ surfactants, which are made and sold by APCI.

7. I understand that Claim 24 of the 203 application has been amended such that it defines a dense cleaning fluid for removing contaminants from a substrate, the dense cleaning fluid comprising: a dense fluid; and at least one derivatized etherified acetylenic alcohol or a derivatized etherified acetylenic diol wherein the derivatized alcohol or the derivatized diol comprises at least one interactive functional group selected from the group consisting of an amine, an acid, an ester, a nitrile, a carbonate, and combinations thereof.

8. I understand that independent Claims 30 and 34 each define a process for removing contaminants from a substrate and each of the claimed process involves contacting the substrate with a dense cleaning fluid comprising a dense fluid and at least one processing agent selected from the group consisting of a derivatized etherified acetylenic alcohol, a derivatized etherified acetylenic diol, and combinations thereof to provide a spent dense fluid and a treated substrate.

9. I understand that the Examiner asserts in the Final Action (by reference to the Action dated September 27, 2005) that Table II of the McDermott publication discloses Surfynol™ and Dynol™ surfactants that are included within the scope of the claims of the 203 application.

10. Based upon my knowledge of the chemical composition of the Surfynol™ and Dynol™ surfactants disclosed in Table II of the McDermott publication, I confirm that the Surfynol™ and Dynol™ surfactants disclosed in Table II of the McDermott publication are ***not*** derivatized etherified acetylenic alcohols or derivatized etherified acetylenic diols, wherein the derivatized alcohol or the derivatized diol comprises at least one interactive functional group

selected from the group consisting of an amine, an acid, an ester, a nitrile, a carbonate, and combinations thereof.

11. I hereby declare that all statements made herein of my own knowledge are true, and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine and/or imprisonment under Section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application or any patent issuing therefrom.

Date: 29 September 2006

Gene E. Parris, Ph.D.